



Date: September 12th, 2019
To: Weber County Board of Commissioners
From: Scott Mendoza
Community Development Department
Agenda Date: September 24th, 2019
Subject: **Request for Approval to Sell Surplus Real Property (Parcel Number 06-008-0009)**
Exhibits: A - Aerial View of Parcel & Recorder's Ownership Plat
B - Weber County Tax Deed (1994)
C - Property Value & Tax History Summary
D - Purchase and Sale Agreement
E - Quit-claim Deed

Summary:

Property identified as Tax #06-008-0009 was acquired by Weber County due to delinquent taxes and a tax deed executed in 1994. The property consists of approximately 90.5 square feet and is located at approximately 954 West and 4375 South, in Riverdale City. It comprises the west one foot of Lot 82 of the River Valley Subdivision No. 2; therefore, Ms. Virginia Bennett, the owner of the majority and remainder of Lot 82 has made a request to purchase the parcel so that Lot 82 can be made whole, as originally dedicated. See Exhibit A.

The community development director, compliant with §21-2-2(6) of the County's Surplus Property Code, has determined that the subject parcel is an economically viable unit of property and considers Ms. Bennett to be the most appropriate preferential interest holder to sell the property to. Selling this parcel to anyone other than Ms. Bennett could create a nuisance and could detrimentally affect her interest in the subject property and her interest in her remaining part of Lot 82.

Due to Weber County having no intended use for this property, the County Commission reviewed and declared this property to be surplus during a public meeting held on September 3rd, 2019. The purchase price is \$71.00, which is the fair market value plus a \$40.00 recording fee. According to Weber County Code §2-21-2(4)a, the County is required to receive at least market value, and in this case the County Assessor's Office has established \$31.00 to be the value.

All standards and requirements found in the County's surplus property code (Title 2, Chapter 21 – Disposal of Surplus Property) have been met and the legal description has been reviewed and approved by the County Surveyor's Office.

Property Description:

06-008-0009

THE WEST 1.0 FOOT OF LOT 82, RIVER VALLEY SUBDIVISION NO. 2, RIVERDALE CITY, WEBER COUNTY, UTAH.

Recommendation:

Convey the above described property to Ms. Bennett for the amount of \$31.00 plus the recording fee.

Fiscal Impact:

Weber County will recover the taxes owed at the time of acquisition and the property will be placed back into a taxable status.

Exhibit A

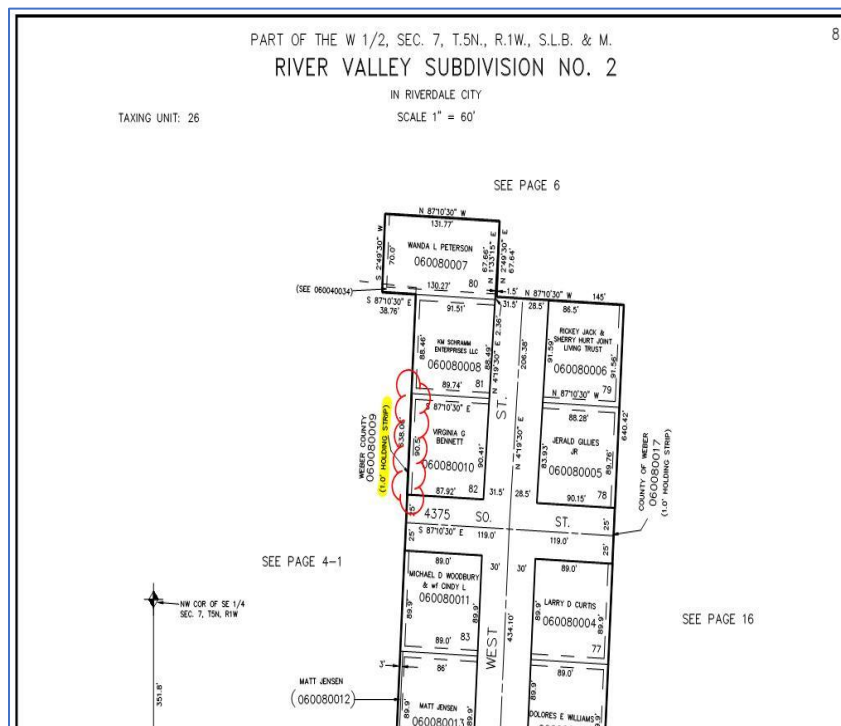


Exhibit B

RASMUSSEN, ANNA MAE
06-008-0009

1538 26TH ST
OSDEN UT

84401

SERIAL NUMBER 06-008-0009

THE WEST 1.0 FOOT OF LOT 82, RIVER VALLEY SUBDIVISION NO. 2,
RIVERDALE CITY, WEBER COUNTY, UTAH.

89	GENERAL TAX CHARGE	4.61	89 TOTAL	22.97
	PENALTY CHARGE ONE	10.00		
	INTEREST	8.36		
90	GENERAL TAX CHARGE	4.56	90 TOTAL	20.75
	PENALTY CHARGE ONE	10.00		
	INTEREST	6.19		
91	GENERAL TAX CHARGE	4.97	91 TOTAL	19.38
	PENALTY CHARGE ONE	10.00		
	INTEREST	3.41		
92	GENERAL TAX CHARGE	5.54	92 TOTAL	17.50
	PENALTY CHARGE ONE	10.00		
	INTEREST	1.96		
93	GENERAL TAX CHARGE	3.98	93 TOTAL	14.49
	PENALTY CHARGE ONE	10.00		
	INTEREST	.50		
	GRAND TOTAL			94.08

THIS FEE SIMPLE TITLE TO THE PROPERTY
DESCRIBED IN THIS ENTRY WAS ON THE
DAY OF MAY 26, 1994 SOLD AND CONVEYED
TO WEBER COUNTY. PAYMENT OF THE
GENERAL TAXES CHARGED AGAINST THE
SAME IN THE AMOUNT OF: \$ 9408

GREG M. HANS - AUDITOR
WEBER COUNTY



06-008-0009
RECEIVED BY VERIFIED
ENTERED BY MICROFILMED D

EA 1295657 BK1718 PG2522
DOUG CROETS, WEBER COUNTY RECORDER
07-JUN-94-1014 AM-FEE 1.00 DEP LF
REC FOR: WEBER COUNTY AUDITOR

2. Property Values

Exhibit C

[View All Years] [Collapse Section]

Year	Tax Year Owner	Market Total	Taxable Value
2019	Weber County Corp Weber County % Weber County Treasurer 2380 Washington Blvd #350 Ogden Ut 844011456	\$31.00	-
2018	Weber County Corp Weber County % Weber County Treasurer 2380 Washington Blvd #350 Ogden Ut 844011456	\$31.00	-
2017	Weber County Corp Weber County % Weber County Treasurer 2380 Washington Blvd #350 Ogden Ut 844011456	\$150.00	\$0.00
2016	Weber County	\$150.00	\$0.00
2015	Weber County	\$150.00	\$0.00
2014	Weber County	\$150.00	\$0.00
2013	Weber County	\$150.00	\$0.00
2012	Weber County	\$150.00	\$0.00
2011	Weber County	\$150.00	\$0.00
2010	Weber County	\$150.00	\$0.00
2009	Weber County	\$150.00	\$0.00
2008	Weber County	\$150.00	\$0.00
2007	Weber County	\$150.00	\$0.00
2006	Weber County	\$150.00	\$0.00
2005	Weber County	\$150.00	\$0.00
2004	Weber County	\$150.00	\$0.00
2003	Weber County	\$150.00	\$0.00
2002	Weber County	\$150.00	\$0.00
2001	Weber County	\$150.00	\$0.00
2000	Weber County	\$260.00	\$250.00
1999	Weber County	\$260.00	\$250.00
1998	Weber County	\$260.00	\$250.00
1997	Weber County	\$260.00	\$250.00
1996	Weber County	\$260.00	\$250.00
1995	Weber County	\$260.00	\$250.00
1994	Weber County	\$260.00	\$250.00
1993	Rasmussen, Anna Mae	\$260.00	\$250.00
1992	Rasmussen, Anna Mae	-	\$356.00
1991	Rasmussen, Anna Mae	\$375.00	\$356.00
1990	Rasmussen, Anna Mae	\$375.00	\$300.00

Exhibit D

REAL ESTATE PURCHASE AND SALE AGREEMENT BY AND BETWEEN WEBER COUNTY AND VIRGINIA C. BENNETT

THIS REAL ESTATE PURCHASE AND SALE AGREEMENT (hereinafter "Agreement") is made and entered into on the ____ day of September, 2019, by and between Weber County, a body politic, corporate, and political subdivision of the State of Utah (hereinafter "County") and Virginia C. Bennett, whose principal address is 952 W 4375 S, Riverdale, UT. 84405 (hereinafter "Buyer").

RECITALS

WHEREAS, according to the official records of the Recorder of Weber County, State of Utah, County owns certain real property more fully described in this Agreement; and

WHEREAS, County declared such property as surplus to its needs on September 3rd, 2019; and

WHEREAS, Buyer approached County about purchasing the property to combine it with adjacent property she owns in Riverdale City; and

WHEREAS, Buyer desires to purchase such property on the terms and conditions more particularly set forth herein; and

NOW, THEREFORE, it is hereby acknowledged and agreed by and between the parties hereto as follows:

SECTION ONE DESCRIPTION OF PROPERTY

The real property which is the subject of this Agreement is described as follows:

Land serial number: 06-008-0009

THE WEST 1.0 FOOT OF LOT 82, RIVER VALLEY SUBDIVISION NO. 2, RIVERDALE CITY, WEBER COUNTY, UTAH.

SECTION TWO PURCHASE PRICE AND TERMS

The purchase price for the above described property is seventy-one dollars and no cents (\$71.00). The County shall convey the real property to Buyer by Quit Claim Deed upon receipt of the full purchase price.

**SECTION THREE
INDEMNIFICATION**

Buyer agrees to defend, indemnify, and hold harmless County, its officers, agents, and employees for and against any claims or suits that arise as a result of this purchase and sale transaction.

**SECTION FOUR
NO WARRANTIES**

The County does not warrant or guarantee that the property is free from easements, covenants, mortgages, liens, or other encumbrances, nor does the County make any other covenants or warranties concerning the property.

**SECTION FIVE
GOVERNING LAW**

The laws of the State of Utah shall govern the validity, construction, enforcement, and interpretation of this Agreement.

**SECTION SIX
ENTIRE AGREEMENT**

This Agreement constitutes the entire Agreement by and between the parties hereto with respect to the subject matter hereof, and no other statement, whether written or oral, shall be deemed a part of this Agreement unless specifically incorporated herein by reference. This Agreement supersedes any and all other agreements, negotiations, or understandings between the parties.

IN WITNESS WHEREOF the undersigned have affixed their respective signatures hereto on the dates indicated below.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By _____
Scott K. Jenkins, Chair

Commissioner Harvey voted _____
Commissioner Froerer voted _____
Commissioner Jenkins voted _____

ATTEST:

2019.

Ricky D. Hatch, CPA
Weber County Clerk/Auditor

This _____ day of September,

BUYER(S):

Ms. Bennett will sign the agreement
prior to the commission meeting.

Virginia C. Bennett

Subscribed and sworn to before me, _____,
this ____ day of September, 2019.

Notary Public

Exhibit E

RECORDED AT THE REQUEST OF
AND WHEN RECORDED MAIL TO:

Virginia C. Bennett
952 W 4375 S
Riverdale, UT 84405

MAIL TAX NOTICE
TO:

Virginia C. Bennett
952 W 4375 S
Riverdale, UT 84405

QUIT CLAIM DEED

Weber County Corporation, of 2380 Washington Blvd., Ogden, UT 84401, and Virginia C. Bennett, of 952 W 4375 S, Riverdale, Utah 84405, Grantors, hereby quit claim to Virginia C. Bennett, Grantee, at 952 W 4375 S, Riverdale, Utah 84405, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the following described tract of land in Weber County, Utah, to wit:

The real property which is described as follows:

ALL OF LOT 82, RIVER VALLEY SUBDIVISION NO. 2, RIVERDALE CITY, WEBER COUNTY, UTAH.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

Scott Jenkins, Chair

I hereby certify that the sale and transfer of the property described herein was duly approved at a regularly scheduled meeting of the Board of County Commissioners on the ____ day of September, 2019.

Ricky D. Hatch, CPA
Weber County Clerk/Auditor

Ms. Bennett will sign the agreement
prior to the commission meeting.

Virginia C. Bennett

State of Utah)
County of Weber) §

On this ____ day of _____ 2019, before me _____, a notary public, personally appeared _____, proved on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged she/he/they executed the same.

Witness my hand and official seal:
